

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI

EXPRESS SCRIPTS, INC.,

Plaintiff,

vs.

WALGREEN CO.,

Defendant.

Cause No.: 4:08-cv-1915

<b>MOTION:</b>	
Granted	<input checked="checked" type="checkbox"/>
Denied	<input type="checkbox"/>
Overruled	<input type="checkbox"/>
Date	02/09/09

**PLAINTIFF'S MOTION FOR LEAVE TO FILE AN OVER LENGTH RESPONSE TO  
DEFENDANT'S CONSOLIDATED MEMORANDUM OF LAW**

COMES NOW Plaintiff Express Scripts, Inc. and respectfully requests leave to file an over length response to Defendant Walgreen Co.'s consolidated Memorandum of Law in support of its Motion to Dismiss, Transfer or Stay and in opposition to Plaintiff's Motion to Enjoin. In support of this motion, Plaintiff states as follows:

1. On December 10, 2008, Plaintiff filed a Complaint against Defendant, advancing causes of action for breach of contract and declaratory judgment. Defendant was granted an extension of time, up to and including January 22, 2008, to file a responsive pleading.

2. On January 22, 2009, Defendant filed a motion to dismiss, transfer or stay Plaintiff's Complaint and its opposition to Plaintiff's Motion to Enjoin. In support of its motion, Defendant filed an over length, consolidated memorandum of law.

3. Plaintiff hereby requests leave to file an over length memorandum of law in opposition to Defendant's Motion to Dismiss, Transfer or Stay and in response to Defendant's opposition to Plaintiff's Motion to Enjoin. For the convenience of the court and to avoid unnecessary duplicative filings, Plaintiff seeks to address in one filing all points argued within